

**State of California
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. 02-XXX
February 28, 2002**

**Amendment to the Water Quality Control Plan for the Los Angeles Region
to Revise the Reach Definitions and the Chloride Water Quality Objectives for the
Calleguas Creek Watershed**

**WHEREAS, the California Regional Water Quality Control Board, Los Angeles
Region (Regional Board) finds that:**

1. The Calleguas Creek Watershed is located in Ventura County, California. Calleguas Creek and its tributaries drain an area of approximately 340 square miles. The watershed extends from Mugu Lagoon to an area north and east of the town of Simi Valley. Major tributaries of Calleguas Creek include Conejo Creek, which drains the southeastern part of the watershed (including the cities of Camarillo and Thousand Oaks), and the Arroyo Las Posas/Arroyo Simi/ and Tapo Canyon tributaries, which drain the northeastern part of the watershed (including the cities of Moorpark and Simi Valley).
2. The Water Quality Control Plan, Los Angeles Region (Basin Plan) divides the Calleguas Creek Watershed into two reaches, north and south from Potrero Road.
3. The Regional Board has determined that the two-reach division of the Calleguas Creek Watershed is not adequate to distinguish between important differences in beneficial uses and hydrogeology within the watershed.
4. The Federal Clean Water Act (CWA) requires states to develop water quality standards that are sufficient to protect beneficial uses for each water body found within its region.
5. In 1990, the Regional Board adopted Resolution No. 90-04 (Drought Policy) which had a term of three years and provided interim relief to dischargers who experienced difficulty meeting chloride objectives because of a California-wide drought. The policy adjusted effluent limits to the lesser of 1) 250 mg/L or 2) the chloride concentration in the water supply plus 85 mg/L.

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6. In 1995, the Regional Board extended the interim limits for three years and directed staff to develop a long-term solution to deal with the impact of changing water supply, especially during droughts.
7. In 1997, the Regional Board adopted Resolution No. 97-02 (Chloride Policy) which set the chloride objective at 190 mg/L or 180 mg/L in specified reaches of the Los Angeles River and 180 mg/L in specified reaches of the San Gabriel River. However, the chloride water quality objective was not revised for Calleguas Creek or the Santa Clara River due to concerns for the protection of agriculture in Ventura County. The Board directed staff to carefully determine the chloride concentrations sufficient to protect agricultural beneficial uses in the Calleguas and Santa Clara watersheds before considering any changes
8. The Regional Board has determined that the existing chloride water quality objective in the Arroyo Las Posas, Arroyo Simi, and Tapo Canyon Reaches of Calleguas Creek does not fully support the agricultural water supply (AGR) and groundwater recharge (GWR) beneficial uses where surface water and/or shallow groundwater are used to irrigate avocado orchards, which are especially sensitive to chloride levels.
9. On February 28, 2002, prior to the Board's action on this resolution, a public hearing was conducted on the Basin Plan Amendment to revise the reach definitions and the chloride water quality objectives for the Calleguas Creek Watershed (referred to hereinafter as the "Basin Plan amendment.") Notice of the hearing for consideration of the Basin Plan amendment was published in accordance with the requirements of the Porter-Cologne Water Quality Control Act (California Water Code, section 13244). This notice was published in the *(name of newspaper and dates of publication)*.
10. The public has had reasonable opportunity to participate in development of this TMDL. Staff consulted with the Calleguas Creek Watershed Management Plan, Water Resources/Water Quality Subcommittee (Water Quality Subcommittee) throughout the development of the proposed Basin Plan amendment. Staff made presentations to the Water Quality Subcommittee in on April 9, 1999; July 21, 1999; September 24, 1999; March 3, 2000; July 12, 2000 and October 10, 2001. In addition, staff met with representatives of the publicly operated treatment works (POTWs) on December 19, 2000 and with representatives of the Camrosa Water District and the Calleguas Municipal Water District on March 2, 2001. A public notification period of not less than 45 days preceded the Board hearing on February 28, 2002; responses from the Regional Board staff to written comments received during the public comment period were made available to the public prior to the February 28, 2002 public hearing.
11. In amending the Basin Plan, the Regional Board considered the factors set forth in sections 13240 and 13241 of the California Water Code.

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12. The amendment is consistent with the State Anti-degradation Policy (State Board Resolution No. 68-16), in that the changes to water quality objectives (i) consider maximum benefits to the people of the state, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies. Likewise, the amendment is consistent with the federal Anti-degradation Policy (40 CFR 131.12).
13. The basin planning process has been certified as functionally equivalent to the California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 et seq.) requirements for preparing environmental documents, and as such, the required environmental documentation, CEQA environmental checklist, and accompanying staff report have been prepared in accordance with State Water Resources Control Board (SWRCB) regulations.
14. The proposed amendment results in no potential for adverse effect (de minimis finding), either individually or cumulatively, on wildlife.
15. The regulatory action meets the “Necessity” standard of the Administrative Procedure Act, Government Code, section 11353, subdivision (b).
16. Revision of the Basin Plan is subject to approval by the SWRCB, the State Office of Administrative Law (OAL), and the USEPA. The Basin Plan amendment will become effective for state law purposes upon approval by OAL and for federal CWA purposes upon approval by USEPA. A Notice of Decision will be filed.

THEREFORE, be it resolved that pursuant to sections 13240 and 13241 of the Water Code, the Regional Board hereby amends the Basin Plan as follows:

1. The Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the amendment to revise the Water Quality Control Plan, Los Angeles Region as follows:
 - a) Amend the text in the Basin Plan Introduction (Chapter 1, page 1-23) on Water Supply and Drought Issues to add:

“This led to Resolution No. 02-XXX, wherein the Regional Board modified the chloride water quality objective in the Arroyo Las Posas, Arroyo Simi and Tapo Canyon reaches of Calleguas Creek in order to support the AGR and GWR beneficial uses in the portions of the watershed where salt-sensitive crops (e.g., avocado orchards) are irrigated with surface water or shallow groundwater. These Resolutions are included in Chapter 5.”
 - b) Revise “Figure 2-4. Major surface waters of the Calleguas Creek-Conejo Creek watershed” in the Basin Plan (Chapter 2, page 2-25) to reflect the revised reach

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definitions as depicted in revised Figure 2-4 in Attachment A hereto and incorporated herein by reference.

- c) Revise “Table 3-8. Water Quality Objectives for Selected Constituents in Inland Surface Waters” in the Basin Plan (Chapter 3, page 3-12) as depicted in Attachment A hereto and incorporated herein by reference.
- d) Amend the text in the Basin Plan, Plans and Policies (Chapter 5, page 5-8, second column after “are most important to the Regional Board’s implementation of the Basin Plan and are herein incorporated by reference:”) to add:

“Resolution No. 02-XXX. Adopted on February 28, 2002. ‘Amendment to Revise the Reach Definitions and the Chloride Water Quality Objectives for the Reaches at the Arroyo Las Posas, Arroyo Simi, and Tapo Canyon of Calleguas Creek.’”

- 2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the SWRCB in accordance with requirements of section 13245 of the California Water Code.
- 3. The Regional Board requests that the SWRCB approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA.
- 4. If during its approval process the SWRCB or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Regional Board members of any such changes.
- 5. The Executive Officer is authorized to sign a Certificate of Fee Exemption.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on February 28, 2002.

Dennis A. Dickerson
Executive Officer

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